

.DOCKET NO.: 217318US0DIV/btm

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 1625

Shiroshi KAYAKIRI, et al.

SERIAL NO: 10/047,093

EXAMINER: DENTZ, BERNARD I

FILED: January 17, 2002

FOR: SULFONAMIDE COMPOUNDS AND PHARMACEUTICAL USE THEREOF

**APPLICATION OF PREVIOUSLY PAID ISSUE FEE IN
ACCORDANCE WITH SECTION 1308.01 MPEP**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

The above-identified application was withdrawn from Issue after payment of the Issue Fee in the amount of \$1300.00 (including the \$300.00 Publication Fee.)

The application has now been allowed again and since a refund of the previously paid Issue Fee has not been requested, it is now requested that the previously paid Issue Fee be applied to the Issue Fee being paid herewith. Enclosed herewith is a copy of the Petition Granted.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon


Thomas M. Cunningham

Registration No. 45,394
Joseph Scafetta, Jr.
Registration No. 26,803

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/04)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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www.uspto.gov

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OBLON SPIVAK McCLELLAND
MAIER & NEUSTADT PC
1940 DUKE STREET
ALEXANDRIA, VA 22314

COPY MAILED

SEP 03 2004

OFFICE OF PETITIONS

In re Application of
Hiroshi Kayakiri et al
Application No. 10/047,093
Filed: January 17, 2002
Attorney Docket No. 21738US)DIV

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:
: DECISION GRANTING PETITION
: UNDER 37 CFR 1.313(c)(2)
:

This is a decision on the petition, filed September 3, 2004, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is GRANTED.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on April 22, 2004 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (703) 305-8680.

This matter is being referred to Technology Center AU 1625 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed Information Disclosure Statement.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

RECEIVED: *9/8/04*
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.

DOCKETING DEPT
Initials/Date Docketed: *09/8/04*
Type of Resp(s):
Due Date(s):

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).